


Approved: 
DEREK WIKSTROM
Assistant United States Attorney

Before: THE HONORABLE JUDITH C. MCCARTHY
United States Magistrate Judge
Southern District of New York

- - - - - X 20 mag 1480
: SEALED COMPLAINT
UNITED STATES OF AMERICA :
: Violation of 18 U.S.C.
- v. - : § 1204
: :
LEIGH F. MURRAY, : COUNTY OF OFFENSE:
: PUTNAM
Defendant. :
: :
- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ANDREW S. KEARNS, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(International Parental Kidnapping)

1. From on or about January 26, 2020 up to and including in or about the present, in the Southern District of New York and elsewhere, LEIGH F. MURRAY, the defendant, removed a child from the United States, and retained the child, who had been in the United States, outside the United States, with the intent to obstruct the lawful exercise of parental rights, to wit, MURRAY removed a four-year-old child (the "Minor Child") from the United States to Ireland and away from his father (the "Father"), despite the Father's custodial rights under New York law and despite New York court orders recognizing the Father's custodial rights with respect to the Minor Child.

(Title 18, United States Code, Section 1204.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Special Agent with the FBI. I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and others, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of birth records from the New York State Department of Health, I have learned, among other things, that the Minor Child was born in or about July 2015 in Westchester County, New York. LEIGH F. MURRAY, the defendant, is the Minor Child's mother, and the Father is the Minor Child's father.

4. Based on my review of court records from the State of New York, I have learned, among other things, the following:

a. On or about September 26, 2019, the Honorable Frederick D. Romig, Town Justice, East Fishkill Town Court, issued a Temporary Order of Protection in a case captioned *People of the State of New York v. Leigh F. Murray*. According to the Temporary Order of Protection, LEIGH F. MURRAY, the defendant, was charged with violating New York Vehicle and Traffic Law Section 1192.03 (driving while intoxicated), and had two previous convictions for "designated offenses" under New York law. As a result, among other restrictions, the Temporary Order of Protection required MURRAY, the defendant, to stay away from the Minor Child except for contact, communication, or access permitted by a subsequent order issued by a family or supreme court. The Temporary Order of Protection indicates that MURRAY was advised in Court of its issuance and contents, and that the order was personally served on her in Court, but MURRAY did not sign the Order.

b. On or about November 20, 2019, the Honorable James T. Rooney, Judge, Family Court of the State of New York in Putnam County, issued an order (the "Family Court Order") granting MURRAY, the defendant, a supervised visit with the Minor Child for twelve hours on either Saturday or Sunday each week, as well as access to the Minor Child on Thanksgiving,

November 28, 2019. MURRAY signed the order on the date it was issued.

5. Based on my participation in this investigations, and discussions with other law enforcement officers and with the Father, I have learned, among other things, the following:


a. Prior to the issuance of the Temporary Order of Protection on or about September 26, 2019, LEIGH F. MURRAY, the defendant, and the Father shared custody of the Minor Child, and the Minor Child lived principally in Putnam County, New York.

b. After the Temporary Order of Protection was issued on or about September 26, 2019, the Father had sole custody of the Minor Child, subject to the weekly supervised visitation rights provided to LEIGH F. MURRAY by the Family Court Order.

c. On or about Sunday, January 26, 2020, the Father dropped the Minor Child off with LEIGH F. MURRAY for a weekly supervised visit pursuant to the Family Court Order. MURRAY did not return the Minor Child to the Father.

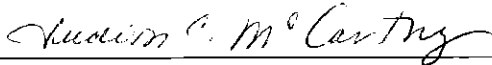
6. Based on my review of records from the York State Police, I have learned, among other things, that on or about January 26, 2020, LEIGH F. MURRAY, the defendant, and the Minor Child flew via Aer Lingus from Newark Liberty International Airport in Newark, New Jersey to Dublin Airport in Dublin, Ireland. MURRAY and the Minor Child had round-trip tickets, and were scheduled to fly from Dublin, Ireland to Newark, New Jersey on February 3, 2020, but based on discussions with a Supervisory Officer with United States Customs and Border Protection, I have learned that MURRAY and the Minor Child never boarded their return flight.

WHEREFORE, the deponent respectfully requests that a warrant issue for the arrest of LEIGH F. MURRAY, the defendant, and that she be arrested, and imprisoned or bailed, as the case may be.



ANDREW S. KEARNS
Special Agent
Federal Bureau of Investigation

Sworn to before me this
10th day of February, 2020



THE HONORABLE JUDITH C. MCCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK